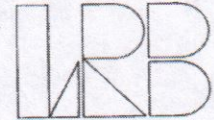


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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
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Written Comments

HCR 89

**REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A
STUDY OF, AND DRAFT PROPOSED LEGISLATION RELATING TO, THE CARE
OF RESCUED ANIMALS AND REIMBURSEMENT FOR, AND IMMUNITY FROM,
CIVIL AND CRIMINAL LIABILITY FOR THE CARE OF RESCUED ANIMALS**

Comments by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the House Committee on Consumer Protection and Commerce

Monday, March 30, 2015, 2:00 p.m.
Conference Room 325

Chair McKelvey and Members of the Committee:

Good afternoon Chair McKelvey and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Acting Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on H.C.R. No. 89, Requesting the Legislative Reference Bureau to Conduct a Study of, and Draft Proposed Legislation Relating to, the Care of Rescued Animals and Reimbursement for, and Immunity From, Civil and Criminal Liability for the Care of Rescued Animals.

The general purpose of this measure is to request that the Legislative Reference Bureau conduct a study of, and draft proposed legislation relating to, the care of rescued animals and reimbursement for, and immunity from, civil and criminal liability for the care of rescued animals. The measure also requests that the Bureau submit its findings to the Legislature no later than twenty days prior to the convening of the 2016 Regular Session.

The Legislative Reference Bureau takes no position on this measure, but notes that the measure does not actually identify an issue or define parameters upon which the study is to be focused. It simply requests that the Bureau study the care of rescued animals and reimbursement for, and immunity from, civil and criminal liability for the care of rescued animals. The Bureau further notes that it seems that, based on the content of the measure's whereas clauses, the proponents of the measure have already conducted considerable research on the various states that have already enacted animal Good Samaritan laws. Accordingly, it is unclear what additional information may be gleaned from a study. As such, if the Legislature so desires, the Bureau could draft proposed animal Good Samaritan legislation based upon other states' laws, which can then be vetted, discussed, and refined through the normal legislative process.

Honorable Angus L. K. McKelvey
House Committee on Consumer Protection and Commerce
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If the Committee would rather have the Bureau conduct a study, however, the Bureau respectfully requests that the study parameters be clarified to help ensure that the Bureau will be able to conduct a study and provide findings that will prove useful to the Legislature in its policy making on this matter. We would be more than happy to work with the Committee to draft proposed language for this purpose.

Thank you again for this opportunity to provide written comments.